

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In Re:
Joel Rivera,
Debtor.

Chapter 7
Case No. 1-23-42603-nhl

K.L.,
Plaintiff,
-against-
Joel Rivera,
Defendant.

Adversary Case No. 1-23-01071-nhl

ORDER

WHEREAS, on August 24, 2023, K.L. commenced this adversary proceeding (the “Adversary Proceeding”) seeking to declare certain unliquidated debt stemming from a personal injury action currently pending in the Supreme Court of New York, County of Queens, *K.L. v. Rivera*, Index No. 706018/2021 (the “State Court Action”), nondischargeable pursuant to 11 U.S.C. § 523(a)(6); and

WHEREAS, the Court has determined that the debt must first be liquidated in the New York State Supreme Court;

NOW, THEREFORE, IT IS HEREBY

ORDERED, that K.L.’s application under 11 U.S.C. § 362(c)(2)(C) and (d)(1) to lift the automatic stay is granted to allow the State Court Action to proceed to judgment, however the enforcement of any determination or judgment shall be stayed absent further order of this Court; and it is further

ORDERED, that the Court will abstain from hearing the Adversary Proceeding until such time that New York Supreme Court enters judgment in the State Court Action; and it is further

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ORDERED, that upon entry of the judgment in the State Court Action, the parties shall return to this Court to determine whether any liability imposed by such judgment is nondischargeable pursuant to 11 U.S.C. § 523(a)(6).

Dated: February 16, 2024
Brooklyn, New York



Nancy Hershey Lord

Nancy Hershey Lord
United States Bankruptcy Judge